

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA

**SAMSON TUG AND BARGE CO., INC.,**  
an Alaska Corporation

Plaintiff/Appellant

VS.

UNITED STATES OF AMERICA,

acting by and through

the UNITED STATES DEPARTMENT  
of the NAVY MILITARY SEALIFT  
COMMAND, and UNITED STATES  
DEPARTMENT OF THE ARMY  
MILITARY TRAFFIC MANAGEMEN

Case Number: A03-006 CV  
Admiralty JWS

**JOINT STIPULATION OF PARTIES TO  
EXTEND TIME FOR DISCOVERY AND RELATED  
DEADLINES AND PROPOSED ORDER**

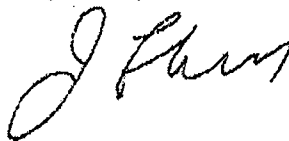
COMES NOW the parties hereto and respectfully propose this stipulation and Order regarding certain discovery deadlines and related dates. The facts relevant to the parties' claims and defenses involve the formation, performance and alleged breach of a maritime contract whereby Samson Tug & Barge Co., Inc. (Plaintiff) provided transportation by barge between the continental United States and the Naval Air Station/Facility at Adak, Alaska in the mid-1990s. This base was closed in 1997. This lawsuit was filed in January of 2003. On August 8, 2006, the parties submitted a joint status report to the Court regarding progress made in the case to date and the willingness of the parties to pursue ADR. In the status report, the parties noted that additional depositions and document exchanges are scheduled to occur this fall, and that the parties require one additional extension in which to complete discovery and allow their respective experts to finalize their reports.

Counsel have conferred and agree that an extension for the close of discovery and related tasks is reasonable and, as explained in the August 8, 2006 status report, necessary. Accordingly the parties are filing this Joint Stipulation and Proposed Order to set forth their need for an adjustment of the discovery schedule and jointly request the Court's approval of the deadlines proposed herein.

THE PARTIES HEREBY STIPULATE AND AGREE AS FOLLOWS:

- (1) The close of discovery presently scheduled for December 15, 2006 should be extended to April 13, 2007;
- (2) The date for witness disclosures shall be extended from October 6, 2006 to January 9, 2007;
- (3) Plaintiff's disclosure of its experts shall be extended to December 8, 2006, and Defendant's disclosure of its experts shall be extended to January 8, 2007.
- (4) Plaintiff's experts shall file their reports by January 12, 2007, and Defendant's experts shall file their reports by February 12, 2007.
- (5) The date for filing dispositive motions shall be extended to May 11, 2007.

Respectfully submitted,



Dated:

Jeanne M. Franken  
Trail Attorney  
Torts Branch, Civil Division  
U.S. Department of Justice  
7-5393 Federal Building  
P.O. Box 36028  
San Francisco, CA 94102-3463  
Counsel for the United States of America



Dated:

Richard D. Gluck  
Harold G. Bailey, Jr.  
Garvey Schubert Barer  
1000 Potomac Street, NW, 5<sup>th</sup> Floor  
Washington, DC 20007  
Counsel for Samson Tug and Barge Co., Inc.

A handwritten signature in black ink, appearing to read "William Royce" followed by a stylized flourish or initials.

Dated:

William G. Royce  
Law Office of William G. Royce  
1227 West 9<sup>th</sup> Avenue  
Suite 200  
Anchorage, AK 99501  
Counsel for Samson Tug & Barge. Co., Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that on September 13, 2006, a copy of the foregoing Joint Stipulation of Parties to Extend Time for Discovery and Related Deadlines was served by first class mail, postage prepaid to the following:

United States Attorney  
Federal Building and U.S. Courthouse  
222 West Seventh Avenue, #9, Room 253  
Anchorage, Alaska 99513-7567

  
Richard D. Gluck